

CON CONTINUING OVERSIGHT OPTIONS

Public Chapter 1043 amended the Tennessee Health Services and Planning Act of 2002, T. C. A. § 68-11-1601, et. seq., which amendments included, among other things:

The addition of a fourth criterion to be considered when approving or denying a CON— whether the proposal will provide health care that meets appropriate quality standards; The Act also directed continuing oversight of CONs approved after July 1, 2016 be maintained by required applicants to submit annual reports concerning continued need and appropriate quality measures and that the new quality measures be adopted as rules. Specifically, T. C. A. § 68-11-1609 (h) directs *“The agency shall maintain continuing oversight over any certificate of need that it approves on or after July 1, 2016. Oversight by the agency shall include requiring annual reports concerning continued need and appropriate quality measures as determined by the agency. The agency may impose conditions on a certificate of need that require the demonstration of compliance with continued need and quality measures; provided that the conditions for quality measures may not be more stringent than those measures identified by the applicant in the applicant’s submitted application”*.

The purpose of this discussion is to determine how best to implement the ongoing monitoring of continuing need and quality measures. Four options have been developed below for your consideration. If you are dissatisfied with those, please develop Option 5.

- *Option 1- Agency Members receive all Continuing Need/Quality Measures Annual Reporting Forms filed by CON Holders. Each report is an agenda item at the next scheduled meeting, or;*
- *Option 2- Agency Members receive all Continuing Need/Quality Measures Annual Reporting Forms filed by CON Holders. Each report is an agenda item at the Next Scheduled Meeting; and Agency Staff completes a Staff Report for each Continuing Need/Quality Measures Annual Reporting Form and makes each staff report available to Members prior to the next scheduled meeting, or;*
- *Option 3- Agency Members do not receive actual Continuing Need/Quality Measures Annual Reporting Form filed by CON Holders but do receive a Staff Report completed for each Continuing Need/Quality Measures Annual Reporting Form filed prior to the next scheduled meeting, or;*
- *Option 4-Agency Staff completes a Staff Report for each Continuing Need/Quality Measures Annual Reporting Form. Only reports where Agency Staff identifies Volume and/or Quality Standard outliers are made available to Members prior to the next scheduled meeting, or;*
- *Option 5-?????.*